

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

SCOTT SURFACE,

Plaintiff,

vs.

**ELI LILLY & CO., INC., DR. JOSEPH
SPALDING, DR. ANDREW RESNICK,
DR. JOHN CLEMENS, and DR.
RICHARD K. BOWERS,**

Defendants.

CASE NO. 2:05-cv-04341-NKL

VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW Plaintiff, by and hereby voluntarily dismisses Dr. Joseph Spalding, Dr. Andrew Resnick, Dr. John Clemens, and Dr. Richard K. Bowers, WITHOUT PREJEUDICE, in the above captioned case.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that the Court enter an order of Voluntary Dismissal Without Prejudice for his action against Defendant, Dr. Joseph Spalding, Dr. Andrew Resnick, Dr. John Clemens, and Dr. Richard K. Bowers, only, and without prejudice.

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF
CONNIE SURFACE**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 28th day of November, 2005, a true and correct copy of the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system on:

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